

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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MARGARET FROBY,

Plaintiff,

v.

CLARK COUNTY SCHOOL DISTRICT;
et al.,

Defendants.

2:12-cv-1789-LRH-PAL

ORDER

Before the court is defendant Clark County School District's ("CCSD") motion to dismiss or, in the alternative, motion for a more definite statement. Doc. #15.¹ Plaintiff Margaret Froby ("Froby") filed an opposition and request to amend (Doc. #18) to which CCSD replied (Doc. #19).

I. Facts and Procedural History

Plaintiff Froby, an employee of CCSD, was the principal for inmate classes at the Florence McClure Women's Correctional Center. While working at the correctional center, Froby alleges that she was exposed to a hostile working environment.

Subsequently, Froby filed a Title VII complaint against CCSD. Doc. #1. Thereafter, CCSD filed the present motion to dismiss. Doc. #15.

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¹ Refers to the court's docket number.

1 **II. Discussion**

2 In its motion, CCSD contends that Froby has failed to allege a single cause of action upon
3 which relief can be granted because she has failed to sufficiently plead the underlying constitutional
4 violations and failed to allege key elements of the other claims. *See* Doc. #15. The court has
5 reviewed the documents and pleadings on file in this matter and agrees that the complaint fails to
6 sufficiently allege a single cause of action upon which relief can be granted. In her complaint,
7 Froby sets out the base elements of her claims but fails to allege how CCSD's actions, if any,
8 contributed to the violations she puts forth. Therefore, the court shall grant CCSD's motion to
9 dismiss. However, because Froby has requested leave to amend her complaint, and the court finds
10 that CCSD would not be prejudiced by amendment, the court shall grant her leave to file an
11 amended complaint.

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13 IT IS THEREFORE ORDERED that defendant's motion to dismiss (Doc. #15) is
14 GRANTED. Plaintiff's complaint (Doc. #1) is DISMISSED in its entirety.

15 IT IS FURTHER ORDERED that plaintiff Margaret Froby shall have thirty (30) days from
16 entry of this order to file an amended complaint.

17 DATED this 13th day of May, 2013.



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20 LARRY R. HICKS
UNITED STATES DISTRICT JUDGE
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